

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

INTERVET INC., and)
BTG INTERNATIONAL LIMITED,)
)
Plaintiffs,)
v.)
)
MERIAL LIMITED,)
)
Defendant.)

C.A. No.: 05-887-***

STATUS REPORT

On July 6, 2006, this Court entered an order (D.I. 27) staying the captioned civil action pending resolution of reexamination proceedings at the United States Patent & Trademark Office ("USPTO") regarding United States Patent No. 5,587,166 ("the '166 patent"), the patent-in-suit.

Pursuant to paragraph 2 of the Stay Order, the parties agreed to provide the Court with a report on the status of the reexamination proceedings at six-month intervals.

At present, the reexamination proceedings are ongoing and have not been completed. On December 22, 2006, the USPTO issued a first office action rejecting the claims of the patent-in-suit on obviousness grounds. The patentee has until late February 2007 to respond to this Office Action. At present, it is unclear when the reexamination proceedings will be completed. The parties will provide the Court with another status report by July 6, 2007.

Dated: January 5, 2007

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CERTIFICATE OF SERVICE

I, Karen L. Pascale, Esquire, hereby certify that on January 5, 2007, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following local counsel of record:

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I further certify that on January 5, 2007, I caused a copy of the foregoing document to be served on the above-listed counsel in the manner indicated:

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